

Declaration for Patent Application

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **HIV-Peptide-Carrier-Conjugates**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on March 25, 2004;
as PCT International Application Number PCT/EP2004/003163; and
was amended on herewith (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

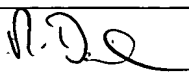
I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f) or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

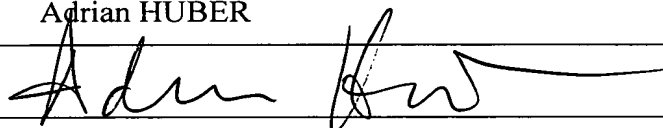
Prior Foreign Applications(s):			Priority Claimed	
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

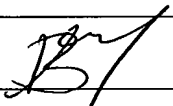
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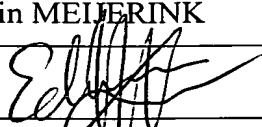
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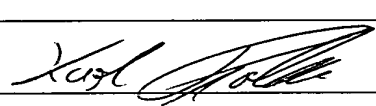
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

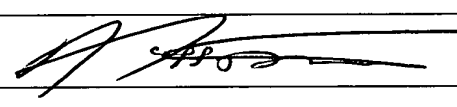
Full name of first Inventor:	Martin F. BACHMANN
Signature of first Inventor:	 Date: 31.08.2005
Residence:	Seuzach, SWITZERLAND
Citizenship:	Switzerland
Mailing Address:	Goldackerweg 8 Seuzach, SWITZERLAND CH-8472

Full name of second Inventor:	Adrian HUBER
Signature of second Inventor:	 31.08.2005
Residence:	Zürich, SWITZERLAND
Citizenship:	Switzerland
Mailing Address:	Eschergutweg 5 Zürich, SWITZERLAND CH-8049

Full name of third Inventor:	Vania MANOLOVA
Signature of third Inventor:	 Date: 31.08.2005
Residence:	Zürich, SWITZERLAND
Citizenship:	Bulgaria
Mailing Address:	Pestalozzistrasse 41 Zurich, SWITZERLAND CH-8032

Full name of fourth Inventor:	Edwin MEIJERINK
Signature of fourth Inventor:	 Date: 31.08.2005
Residence:	Zürich, SWITZERLAND
Citizenship:	The Netherlands
Mailing Address:	Rebbergstrasse 50 Zurich, SWITZERLAND CH-8049

Full name of fifth Inventor:	Karl G. PROBA
Signature of fifth Inventor:	 Date: 31.08.2005
Residence:	Zürich, SWITZERLAND
Citizenship:	Germany
Mailing Address:	Tramstrasse 95 Zürich, SWITZERLAND CH-8050

Full name of sixth Inventor:	Alain TISSOT
Signature of sixth Inventor:	 Date: 31.08.2005
Residence:	Zürich, SWITZERLAND
Citizenship:	Switzerland
Mailing Address:	Segantinstrasse 35 Zürich, SWITZERLAND CH-8049

P103 + vs ce

**DO NOT FORWARD
TO ASSIGNMENT BRANCH
NOT FOR RECORDATION**

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventors: (1) **Martin F. BACHMANN**, (2) **Adrian HUBER**, (3) **Vania MANOLOVA**, (4) **Edwin MEIJERINK**, (5) **Karl G. PROBA** and (6) **Alain TISSOT**, hereby sell and assign to **Cytos Biotechnology AG**, a corporation formed under the laws of Switzerland, whose mailing address is Wagistrasse 25, CH-8952 Zürich-Schlieren, SWITZERLAND (hereafter referred to as the Assignee), his/her entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages, for the United States of America (as defined in 35 U.S.C. § 100) and throughout the world,

(a) in the invention known as **HIV-Peptide-Carrier-Conjugates** for which application(s) for patent in the United States of America was filed as International Application PCT/EP2004/003163, international filing date March 25, 2004, (designating the United States) in any and all applications thereon, in any and all Letters Patent(s) therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including non-provisional applications, continuing (continuation, divisional, or continuation-in-part) applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventors agree to execute all papers necessary in connection with the application(s) and any non-provisional, continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

The undersigned inventors agree to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any non-provisional, continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

The undersigned inventors hereby represent that he/she has full right to convey the entire interest herein assigned, and that he/she has not executed, and will not execute, any agreement in conflict therewith.

The undersigned inventors hereby grant Robert Greene Sterne, Esq., Registration No. 28,912; Edward J. Kessler, Esq., Registration No. 25,688; Jorge A. Goldstein, Esq., Registration No. 29,021; David K.S. Cornwell, Esq., Registration No. 31,944; Robert W. Esmond, Esq., Registration No. 32,893; Tracy-Gene G. Durkin, Esq., Registration No. 32,831; Michele A. Cimbala, Esq., Registration No. 33,851; Michael B. Ray, Esq., Registration No. 33,997; Robert E. Sokohl, Esq., Registration No. 36,013; Eric K. Steffe, Esq., Registration No. 36,688; Michael Q. Lee, Esq., Registration No. 35,239; Steven R. Ludwig, Esq., Registration No. 36,203; John M. Covert, Esq., Registration No. 38,759; Linda E. Alcorn, Esq., Registration No. 39,588; Donald J. Featherstone, Esq., Registration No. 33,876; Robert C. Millonig, Esq., Registration No. 34,395; Michael V. Messinger, Esq., Registration No. 37,575; Judith U. Kim, Esq., Registration No. 40,679; Timothy J. Shea, Jr., Esq., Registration No. 41,306; Patrick E. Garrett, Esq., Registration No. 39,987; Jeffrey Helvey, Registration No. 44,757; Heidi L. Kraus, Registration No. 43,730; Eldora Ellison, Registration No. 39,967; Thomas C. Fiala, Registration No. 43,610; all of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned inventors on the date opposite his/her name.

Date: 31.08.2005

Signature of Inventor: _____

(1) Martin F. BACHMANN

Date: 31.08.2005

Signature of Inventor: _____

(2) Adrian HUBER

Date: 31.08.2005

Signature of Inventor: _____

(3) Vania MANOLOVA

Date: 31.08.2005

Signature of Inventor: _____

(4) Edwin MEIJERINK

Date: 31.08.2005

Signature of Inventor: _____

(5) Karl G. PROBA

Date: 31.08.2005


Signature of Inventor: _____

(6) Alain TISSOT

435507.1

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POWER OF ATTORNEY FROM ASSIGNEE


 Cytos Biotechnology AG, a corporation of Switzerland, having a principal place of business at Wagistrasse 25, Zurich-Schlieren, SWITZERLAND CH-8952, is assignee of the entire right, title, and interest for the United States of America (as defined in 35 U.S.C. §100), by reason of an Assignment to the Assignee executed on (1) 08/31/05 (2) 08/31/05 (3) 08/31/05 (4) 08/31/05 (5) 08/31/05 and (6) 08/31/05 of an invention known as **HIV-Peptide-Carrier-Conjugates** that is disclosed and claimed in a patent application of the same title by the inventors (1) Martin F. BACHMANN, (2) Adrian HUBER, (3) Vania MANOLOVA, (4) Edwin MEIJERINK, (5) Karl G. PROBA and (6) Alain TISSOT (said application filed on March 25, 2004 at the International Bureau of the World Intellectual Property Organization as PCT International Application No. PCT/EP2004/003163).

For the purpose of PAIR, the Customer Number is **26111**.

The Assignee hereby appoints the patent attorneys and agents associated with **CUSTOMER NUMBER 26111** to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith. The Assignee hereby grants said patent attorneys and agents associated with Customer Number 26111 the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

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Customer Number 26111
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 Washington, D.C. 20005-3934
 U.S.A.

Direct phone calls to 202-371-2600.

FOR: Cytos Biotechnology AG

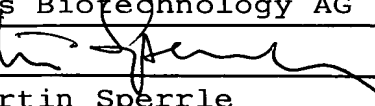
SIGNATURE: 

BY: Dr. Martin F. Bachmann

TITLE: CSO

DATE: August 31, 2005

FOR: Cytos Biotechnology AG

SIGNATURE: 

BY: Dr. Martin Sperrle

TITLE: Director IP&Legal Affairs

DATE: August 31, 2005

PTO/SB/96 (09-04)
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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Bachmann et al.

Application No./Patent No.: PCT/EP2004/003163 Filed/Issue Date: Int'l Filing Date March 25, 2004

Entitled: HIV-Peptide-Carrier-Conjugates

Cytos Biotechnology AG, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Dr. Martin F. Bachmann ; Dr. Martin Sperrle August 31, 2005
Signature Date
CSO ; Director IP&Legal Affairs +41(44)7334747
Printed or Typed Name Telephone Number
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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